

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>BENNIE BARNES,</b>	)	
	)	
v.	)	<b>C.A. No. 03-389 Erie</b>
	)	<b>District Judge McLaughlin</b>
<b>STEPHANIE DOMITROVICH, et al.,</b>	)	<b>Magistrate Judge Baxter</b>
<b>Defendants.</b>	)	

**ORDER**

On November 24, 2003, Plaintiff, a state prisoner appearing *pro se*, filed the instant civil rights action. This matter was assigned to United States District Judge Sean J. McLaughlin and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On April 18, 2005, Magistrate Judge Baxter issued a Report and Recommendation recommending that the motion to dismiss the amended complaint be granted [Document # 49], the motion to dismiss be granted [Document # 40], and the action be dismissed generally on the basis of the Rooker-Feldman doctrine. Document # 58.

The undersigned reviewed the case de novo and, on May 31, 2005, issued a final order adopting the Report and Recommendation, at least partly on the basis that no objections were filed. Document # 61.

Following the closing of this case, Plaintiff requested that this case be reopened in order to review his Objections to the Report and Recommendation which had been filed on May 31, 2005 (the same day as the final order closing the case). By Order dated June 17, 2005, this case was reopened.

The Objections as well as the Response in Opposition to the Objections have now been

reviewed and considered by this Court.

AND NOW, this 25th, day of July, 2005;

Following a *de novo* review of the record in this case, IT IS HEREBY ORDERED that the Report and Recommendation by Magistrate Judge Baxter is adopted as the opinion of this Court. Judgment is to be granted in favor of Defendants.

IT IS FURTHER ORDERED that the Clerk of Courts close this case.

s/ Sean J. McLaughlin  
UNITED STATES DISTRICT JUDGE